

FILED

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

MAR - 7 2013

WILLIAM D. GALLERIE
Clerk, U.S. District Court
By Deputy Clerk

ALLAN D. SCHUBERT,

Petitioner,

v.

RANDY WORKMAN, Warden,

Respondent.

Case No. CIV 12-278-RAW-KEW

OPINION AND ORDER
DENYING CERTIFICATE OF APPEALABILITY

On this date the court dismissed petitioner's petition for a writ of habeas corpus. After careful review of the record, the court concludes petitioner has not shown "at least, that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether [this] court was correct in its procedural ruling." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). *See also* 28 U.S.C. § 2253(c).

ACCORDINGLY, petitioner is denied a certificate of appealability. *See* Rule 11(a) of the Rules Governing Section 2254 Cases.

IT IS SO ORDERED this 7th day of March 2013.


RONALD A. WHITE
UNITED STATES DISTRICT JUDGE